

IN THE UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MASSACHUSETTS

RICHARD W. DUGGAN,)	
Plaintiff,)	
)	
vs.)	CIVIL ACTION NO.
)	04-11116-DPW
JOHN POTTER, Postmaster)	
General, et al,)	
Defendants.)	

THE ORAL DEPOSITION OF FRANK NERI, held pursuant to Notice, and the applicable provisions of the Federal Rules of Civil Procedure, before Marilyn Franklin, a Court Reporter and Notary Public, within and for the Commonwealth of Massachusetts, at the offices of the United States Postal Service, Labor Relations, 25 Dorchester Avenue, Boston, Massachusetts, on Thursday, June 16, 2005, commencing at 10:37 a.m.

ORIGINAL

1 with the information in this memo, were two items that
2 contributed to my decision to provide you additional
3 training.

4 Q It also says, "You have continued propagate a
5 confrontational environment in your area of responsibility."
6 What exactly was that?

7 A Specifically, while I was in the position of
8 Senior Plant Manager, it was brought to my attention that
9 confrontations occurred between yourself, managers on your
10 tour, which included you being present with them, with the
11 medical unit personnel of the plant.

12 Q Do you recall what those confrontations were?

13 A I could not at this point provide specifics as to
14 what the confrontations were, but it was brought to my
15 attention that there were confrontations.

16 Q And I was involved in those with the nurses unit,
17 the medical unit?

18 A Yes.

19 Q Do you recall any employee that I was involved
20 with in any kind of conversations or ---

21 A It was -- I recall that it was the medical
22 personnel in the medical unit.

23 Q And that I was -- I think you just said that I was
24 involved with confrontations with those people?

25 A Yes.

1 Q But you don't have any idea what the issue was
2 about, or anything like that?

3 A I would have to refer to my notes to determine the
4 specifics of that.

5 MR. DUGGAN: I'd like to go on the record. I
6 asked for all the information from which he based his
7 decisions on. I haven't received any such notes as part of
8 the response to the Interrogatories.

9 MS. CRAWFORD: That's your opinion, statement.
10 That's fine. Do you have a question.

11 MR. DUGGAN: I just want to put it on the record.

12 MS. CRAWFORD: Fine.

13 BY MR. DUGGAN:

14 Q What other things did you include in your decision
15 to -- based on the fact that Mr. Duggan had, in your
16 opinion, some type of incidents with the medical people?
17 Where did you get that information?

18 A I received that information from Human Resources.

19 Q Who in Human Resources?

20 A The Manager of Human Resources, who brought to my
21 attention the incident that occurred between yourself and
22 the medical unit personnel.

23 Q But you don't recall what that incident was?

24 A I recall that you went to the medical unit,
25 accompanying an employee that was seeking medical attention,

1 and becoming confrontational with the personnel in the
2 medical unit about the decisions that they were making
3 concerning that employee.

4 Q Do you have records of that?

5 A No, I don't.

6 Q You don't remember the employee?

7 A No, I don't.

8 Q Would it surprise you to know that Mr. Duggan,
9 with the exception of one employee, who would have been the
10 victim of some type of zero tolerance abuse by another
11 employee, that was the only time Mr. Duggan had been in the
12 medical unit accompanying any employee?

13 A I have no knowledge of that.

14 Q But you didn't bother to check yourself exactly
15 what the issues were?

16 A I did not check myself as to the number of times
17 that Mr. Duggan went to the medical unit.

18 Q You just took the word of some -- the nurses, I
19 guess, is the one who generated this?

20 A I took the word of senior management personnel
21 that work in the Boston District.

22 Q Where did they get that information from?

23 A I have no personnel knowledge where they obtained
24 their information from.

25 Q I'd like to take you to P1, please. Is this an